

# **State of Alaska FY2008 Governor's Operating Budget**

## **Department of Environmental Conservation Environmental Health Results Delivery Unit Budget Summary**

## Environmental Health Results Delivery Unit

### Contribution to Department's Mission

Safe drinking water, food, and sanitary practices.

### Core Services

- Establish clear standards.
- Apply standards consistently statewide.
- Permit, inspect and provide technical assistance.
- Enforce requirements.
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End Results	Strategies to Achieve Results
<b>A: The environment is protected from solid waste and pesticide pollution.</b>  <u>Target #1:</u> 100% of solid waste facilities are authorized/permitted. <u>Measure #1:</u> % of facilities that are authorized/permitted.	<b>A1: Establish protective standards for Solid Waste and Pesticides.</b>  <u>Target #1:</u> Solid waste regulations are revised, adopted and implemented by FY2008. <u>Measure #1:</u> % of solid waste regulations and standards complete.  <u>Target #2:</u> Pesticide regulations are revised, adopted and implemented by the end of FY2007. <u>Measure #2:</u> % of pesticide regulations and standards complete.
End Results	Strategies to Achieve Results
<b>B: Citizens are protected from unsafe food and drinking water.</b>  <u>Target #1:</u> No outbreaks of food borne illness in regulated facilities. <u>Measure #1:</u> Number of regulated facilities with food borne outbreaks within the fiscal year.  <u>Target #2:</u> No public illness outbreaks from regulated public water systems. <u>Measure #2:</u> Number of regulated facilities with public illness outbreaks within the fiscal year.	<b>B1: Establish protective standards for food and drinking water.</b>  <u>Target #1:</u> Protective standards for food are complete by the end of FY2007. <u>Measure #1:</u> % of protective standards complete for food.  <b>B2: Control sanitary practices for food and drinking water.</b>  <u>Target #1:</u> 100% plan reviews are processed within specific turn around times. <u>Measure #1:</u> % reviews processed within specific turn around time.  <u>Target #2:</u> 100% of food handlers and sanitary survey inspectors are certified. <u>Measure #2:</u> % of food handlers and sanitary survey inspectors are certified.  <b>B3: Enforce safe sanitary practices for food and drinking water.</b>

**Target #1:** Within a fiscal year, less than 10% of regulated facilities have been issued formal enforcement.  
**Measure #1:** % of regulated facilities issued formal enforcement within the fiscal year.

### Major Activities to Advance Strategies

- Test and monitor food products for safety.
- Assist food operators to be in compliance with the Alaska Food Code.
- Provide environmental health information by conducting laboratory tests and analysis.
- Develop and maintain foreign animal disease monitoring and surveillance.
- Regulate community water systems.
- Implement a risk-based inspection and compliance plan for landfills.
- Conduct compliance investigations and inspections.
- Enforce environmental health regulatory requirements.
- Investigate complaints and outbreaks.

### FY2008 Resources Allocated to Achieve Results

**FY2008 Results Delivery Unit Budget: \$15,425,600**

**Personnel:**

Full time	141
Part time	0
<b>Total</b>	<b>141</b>

### Performance Measure Detail

#### A: Result - The environment is protected from solid waste and pesticide pollution.

**Target #1:** 100% of solid waste facilities are authorized/permited.

**Measure #1:** % of facilities that are authorized/permited.



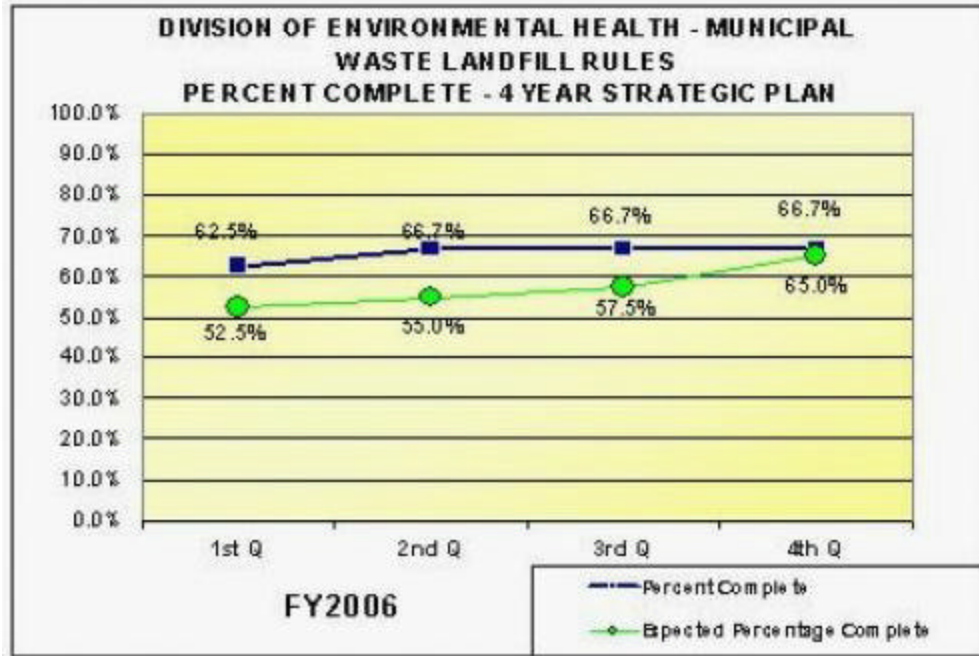
**Analysis of results and challenges:** The Solid Waste Program oversees permitting municipal landfills receiving over 5 tons of waste per day (Class I and Class II landfills) and industrial activities that require permitting. The

program tracks the number of Class I, Class II, and industrial permits and the number of facilities requiring permits. All of the facilities required to be permitted are either permitted or in the process of obtaining new permits or renewing the necessary permit.

### A1: Strategy - Establish protective standards for Solid Waste and Pesticides.

**Target #1:** Solid waste regulations are revised, adopted and implemented by FY2008.

**Measure #1:** % of solid waste regulations and standards complete.



**Analysis of results and challenges:** The Solid Waste Program effectively manages waste disposal in communities that produce more than 5 tons of municipal solid waste per day by issuing individual permits to the landfills serving those communities. Currently, small communities producing less than 5 tons of municipal solid waste per day are also required to have a permit but only 25% of the Class III communities have permitted landfills. Since the permit process is difficult for small communities with limited resources, a simplified authorization process is needed to improve the permitting rate among small communities. As such, the department is in the process of changing the structure of the solid waste program.

As a first step in this process, legislation was requested and passed in 2004 that gave DEC the ability to authorize disposal activities by regulation (i.e. prior authorization) rather than solely by permit. To utilize this new authority, it is necessary to revise the solid waste regulations. Efforts to revise the regulations have proceeded steadily and a draft package of revised regulations was completed by the end of FY2005. Much of FY2006 was spent on internal review of the draft regulations and revision of the regulations in response to review comments. Internal review of the revised draft regulations is currently underway.

**Target #2:** Pesticide regulations are revised, adopted and implemented by the end of FY2007.

**Measure #2:** % of pesticide regulations and standards complete.

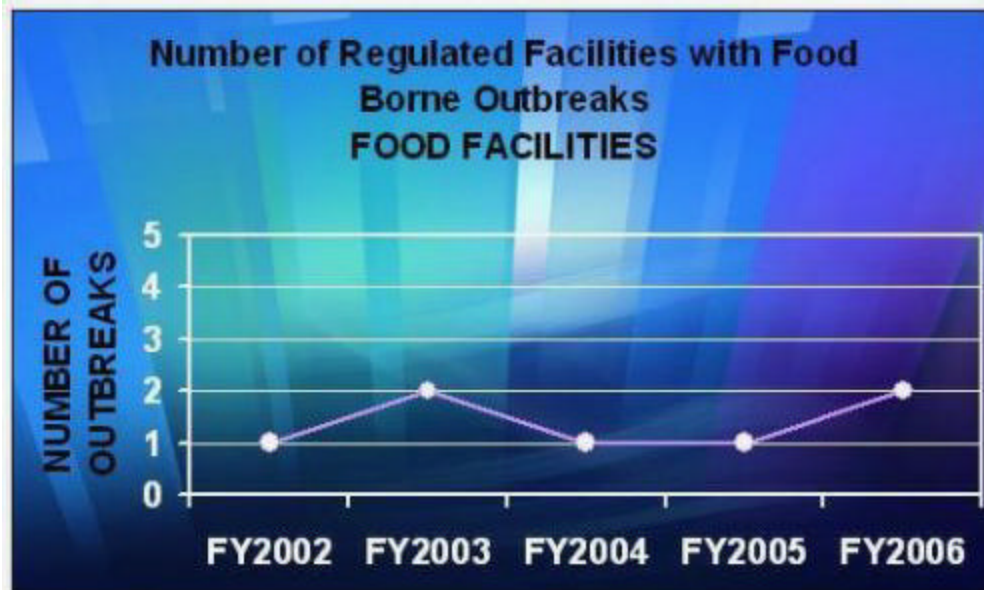


**Analysis of results and challenges:** This is a new Target & Measure for FY2007 - Data will be available during the 3rd Quarter of FY2007.

## B: Result - Citizens are protected from unsafe food and drinking water.

**Target #1:** No outbreaks of food borne illness in regulated facilities.

**Measure #1:** Number of regulated facilities with food borne outbreaks within the fiscal year.



**Analysis of results and challenges:** The Epidemiology section of Health and Social Services (HSS) conducts



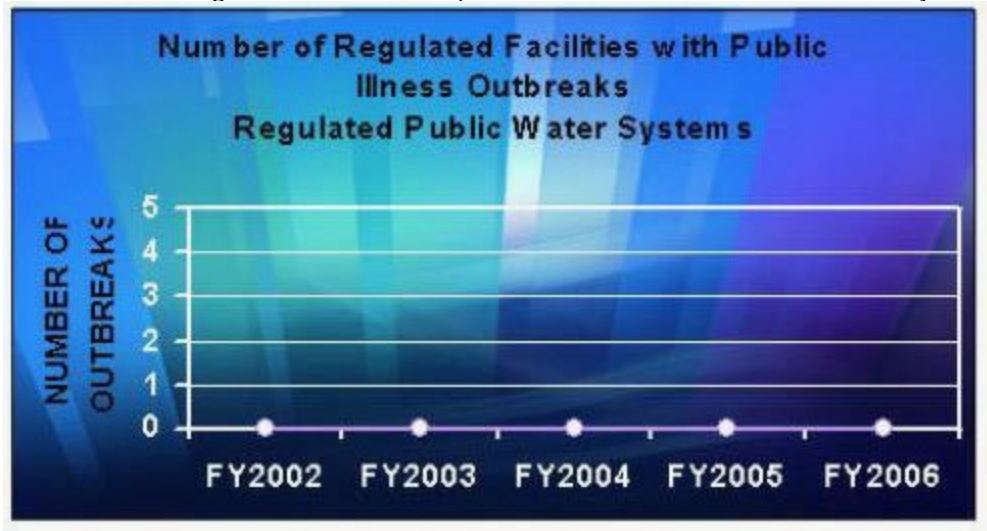
investigations of outbreaks of human illness and death and, with the help of DEC investigators, determines the source of the outbreak. On a routine basis, Environmental Health Officers investigate cases of suspected food borne illness in coordination with the Department of Health and Social Services. Investigation requires Food Safety staff to take food case histories and conduct risk focused inspections of regulated food establishments to determine if food preparation, handling, source, or employee health may be the causative or contributing factors for the illness. The measure does not include illness determined through investigation to be a result of norovirus infections associated with food and sanitation practices, or food borne illness which results from consumer mis-handling of retail food.

Data displayed here reflects the number of food facilities regulated by DEC that were determined to be the source of an outbreak during the reporting period.

While outbreaks reported to HSS can be tracked, many incidents of illness related to food may never actually get reported. In milder cases, symptoms may be mistaken for ordinary flu or an upset stomach and be overlooked by doctors or individuals.

**Target #2:** No public illness outbreaks from regulated public water systems.

**Measure #2:** Number of regulated facilities with public illness outbreaks within the fiscal year.



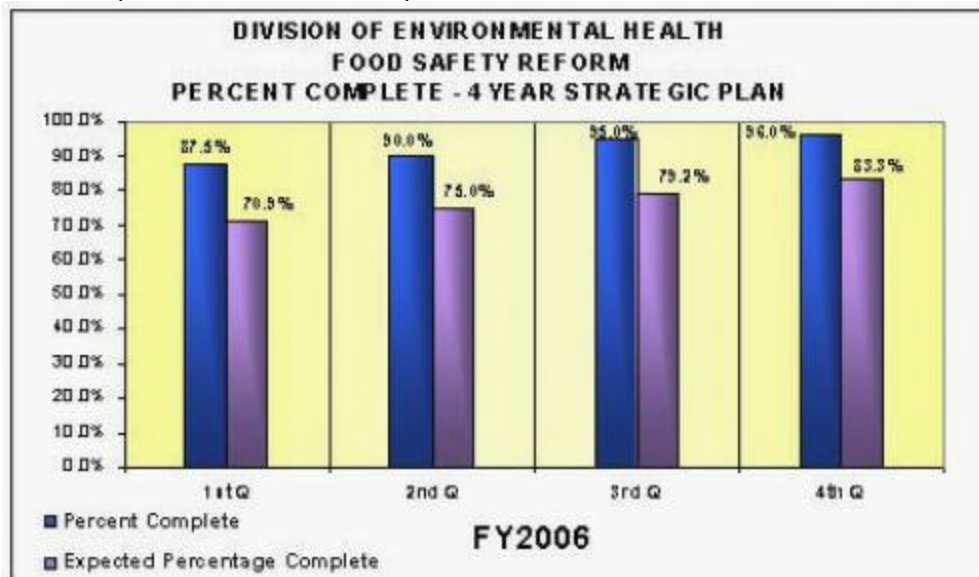
**Analysis of results and challenges:** The Epidemiology section of Health and Social Services (HSS) conducts investigations of outbreaks of human illness and death and, with the help of DEC investigators, determines the source of the outbreak. Data displayed here reflects the number of food facilities regulated by DEC that were determined to be the source of an outbreak during the reporting period.

While outbreaks reported to HSS can be tracked, many incidents of illness related to food may never actually get reported. In milder cases, symptoms may be mistaken for ordinary flu or an upset stomach and be overlooked by doctors or individuals.

**B1: Strategy - Establish protective standards for food and drinking water.**

**Target #1:** Protective standards for food are complete by the end of FY2007.

**Measure #1:** % of protective standards complete for food.



**Analysis of results and challenges:** The Food Safety and Sanitation Program has actively been working on revisions to the Alaska Food Code (18 AAC 31) to implement HB378, the bill providing authority to require certified food protection managers and food worker cards in Alaska's regulated food establishments. The program released a draft for public comment on January 12, 2005 and held numerous public workshops to discuss the package. The program received comments from approximately 75 operators regarding employee health, fines for non-compliance, no bare hand contact with ready-to-eat foods, and Active Managerial Control record tracking requirements.

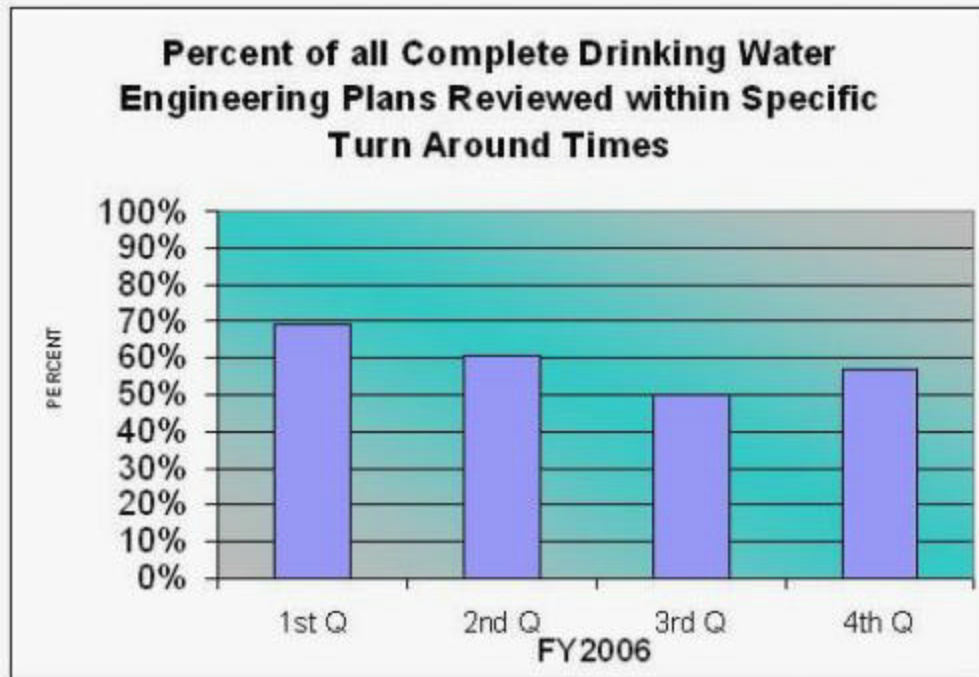
The program made extensive edits based upon public comments. A second public comment period was held April 2, 2006 through June 30, 2006. Four public workshops were held to educate operators and other interested parties about the proposed regulation changes.

The program routed the adoption draft to the Department of Law in late summer 2006. The regulations will become effective 30 days after they are filed by the Lieutenant Governor.

**B2: Strategy - Control sanitary practices for food and drinking water.**

**Target #1:** 100% plan reviews are processed within specific turn around times.

**Measure #1:** % reviews processed within specific turn around time.



**Analysis of results and challenges:** Waterborne disease continues to be a threat to public health in many areas. To provide for the protection of public health, the Drinking Water Regulations (18 AAC 80) require that any time a public water system (PWS) is constructed or modified that engineering plans be submitted to the Drinking Water Program for review by department engineering staff. During the engineering review process, the engineer will determine if specifications and materials used in the construction or modification of a PWS meet criteria of the Drinking Water Regulations. These criteria address many items that, taken together, best protect public health and provide safe drinking water. In order to make sure that public water systems are being constructed and operated in a safe manner and are protective of public health, department engineers are required to review complete engineering plan submittals within 30 days of receipt.

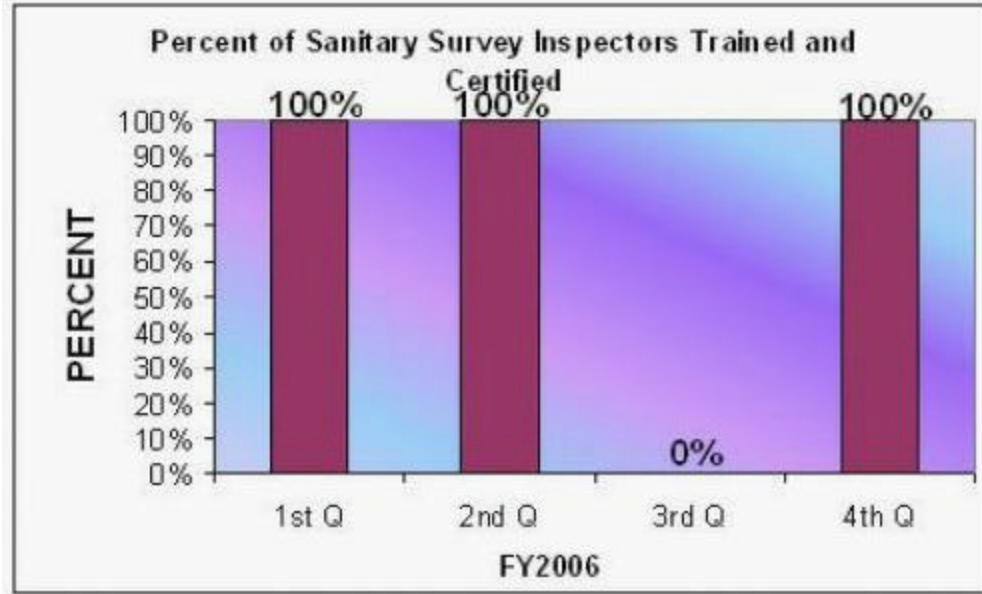
Due to the complexity of the systems and the importance of protecting people from waterborne disease, the engineering plan review process is also complex. Many engineering plan submittals do not contain required information, needed by department engineers in order to begin the review process. Submitting incomplete engineered plans increases the review process timeline. ADEC anticipates conducting an Advanced Sanitary Survey class and other outreach sessions on new and upcoming rule implementation, as well as implementation of new engineered plan submittal checklists to assist in reducing the time necessary for clarification and technical assistance.

This measure will fluctuate with unplanned vacancies and/or implementation of new complex federal rules requiring equally complex changes to the public drinking water systems. During the reporting period there was a decrease in the number of plans reviewed within 30 days of initial receipt because of: 1) An increase in the number of public water system plans received; 2) An increase in complexity of public water system plans received, which can be attributed to the new Long Term 1 Enhanced Surface Water Treatment and Stage 1 Disinfectants/Disinfection byproducts Rules; and, 3) Vacancies and recently hired new and inexperienced engineering staff.



**Target #2:** 100% of food handlers and sanitary survey inspectors are certified.

**Measure #2:** % of food handlers and sanitary survey inspectors are certified.



**Analysis of results and challenges:** This measure combines the certification programs within the Food Safety and Drinking Water Programs. The certification of food handlers is part of the new food safety system and will be implemented in FY2008. Following implementation, data for the food handlers will be included in the measure. Current data only includes certification of sanitary survey inspectors.

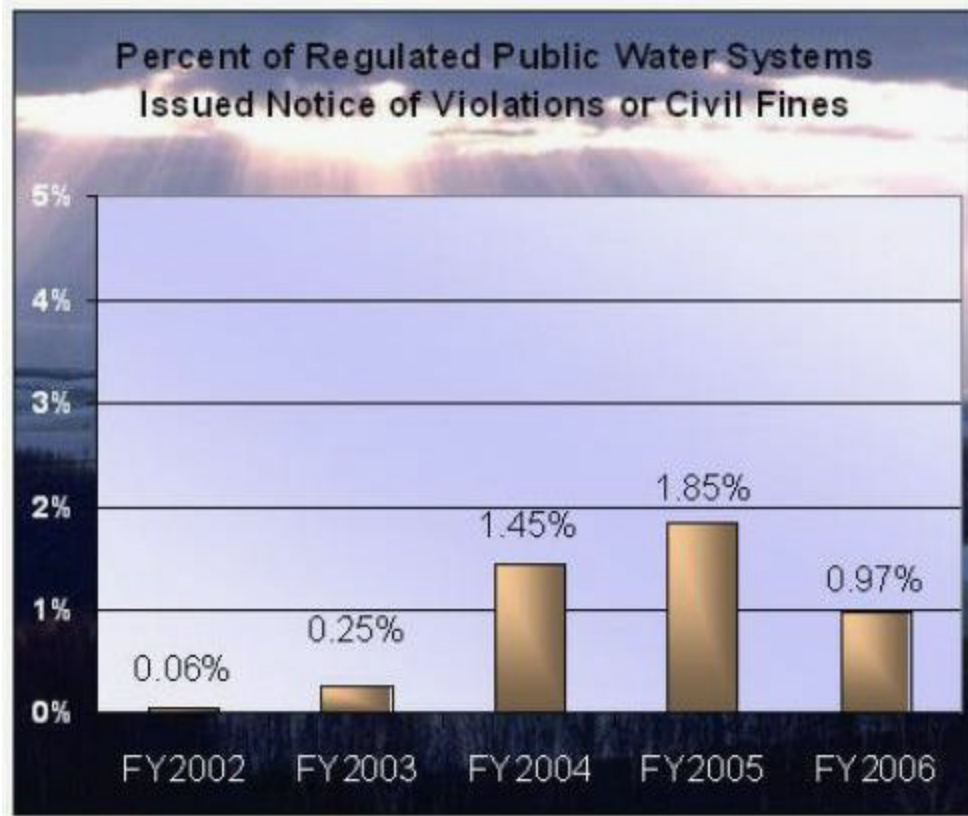
All federally regulated public water systems are required to conduct a periodic sanitary survey of their entire water system. A sanitary survey is an onsite review of the water source, treatment facilities and equipment, and operation and maintenance procedures of a public water system. The sanitary survey is used to evaluate the adequacy of the system and helps to determine if it can produce and distribute safe drinking water. Sanitary surveys are required every five years for public water systems using a groundwater source and every three years for public water systems using a surface water source. Most public water systems are very complex, with many individual components that must be inspected during the sanitary survey. The complexity of inspecting the public water system and the protection of public health require that a person conducting a sanitary survey be knowledgeable in all aspects of drinking water treatment and distribution. This requires extensive and specialized training. There are approximately 1,600 federally regulated public water systems in Alaska that must meet the sanitary survey requirement. Not all sanitary surveys can be completed by department staff, so the Drinking Water Program has contracted with the University of Alaska Southeast Alaska Training/Technical Assistance Center (ATTAC) to provide training sessions for both department staff and other third party individuals who have prior experience with public water system treatment and distribution. ATTAC currently offers at least three training sessions per year, including two Basic Sanitary Survey classes and one Advanced Sanitary Survey class. The Drinking Water Program also plans to offer one Advanced Sanitary Survey class annually.

The data for the 1st, 2nd, and 4th quarters of FY2006 shows that we have met our goal of 100% certification of food handlers and sanitary survey inspectors, however the 3rd quarter shows a 0%. This was due to having zero food handlers and sanitary inspectors being certified.

**B3: Strategy - Enforce safe sanitary practices for food and drinking water.**

**Target #1:** Within a fiscal year, less than 10% of regulated facilities have been issued formal enforcement.

**Measure #1:** % of regulated facilities issued formal enforcement within the fiscal year.



**Analysis of results and challenges:** This measure combines enforcement actions for regulated food establishments and regulated public water systems for two enforcement tools Notice of Violation (NOV) and the levy of civil fines and administrative penalties should a regulated entity not comply with standards. The information system to support compliance and enforcement for the new Food Safety Program, Active Managerial Control, is anticipated to be available by FY2007. Current data only includes enforcement actions associated with regulated drinking water systems.

The primary goal of the Drinking Water Program is to make sure that all people who are served by a federally regulated public water system are receiving drinking water that meets health-based standards. Health-based standards are designed to protect people from consuming unsafe drinking water and are enforceable in order for public water systems to be able to serve drinking water to the public. If a public water system does not meet these standards, violations occur and formal enforcement actions are taken against the system. Formal enforcement actions include NOVs and civil fines (administrative penalties). The goal of the Drinking Water Program is to have 100% of public water systems in compliance with health-based standards.

### Key RDU Challenges

The Division of Environmental Health deals with the most basic environmental health programs - food, water, and garbage. Adequate laboratory capacity to test food for the presence of biological or chemical contaminants and to certify private laboratories for accurate testing of public water supplies for these same substances is a critical component of the state's environmental health infrastructure. Bringing the new Environmental Health Laboratory fully on line and operational continues to be a priority for this RDU.

The Drinking Water program has been rapidly expanding to obtain and maintain primacy for federal safe drinking water rules so that Alaska's public water systems are interacting with only one governmental agency in achieving compliance with these rules.

A number of Environmental Health programs have been redefined requiring changes to statutes, regulations and staff activities. The Food Safety program is implementing a new, comprehensive food safety system that adds multiple assurances that food sold and served throughout Alaska is safe. The Solid Waste program is shifting from a standard permit type program to a risk-based approach. Having achieved the statutory changes, the implementation of these program changes through regulation revisions continues to be a primary focus for this RDU.

The State Veterinarian's work has changed dramatically as the world becomes concerned about animal diseases such as Avian Influenza and Mad Cow diseases.

## Significant Changes in Results to be Delivered in FY2008

The EPA has been rolling out new requirements for public drinking water systems stemming from amendments made by Congress to the Safe Drinking Water Act. EPA must implement these new requirements in Alaska until such time that the state adopts regulations to assume primacy for implementing these new requirements. Funding for the second year of a three year plan to obtain and maintain primacy in the Drinking Water Program is being sought in FY2008 to give Alaska the resources needed to take on these new federal mandates.

EPA retains partial primacy and enforces the new rules until the State is able. Traditionally, EPA enforcement is swift, strict and does not include technical assistance - making it difficult for public drinking water systems to attain and maintain compliance. If the State does not catch up, primacy may be lost altogether.

In addition to providing needed technical support, State primacy allows:

1. Issuance of monitoring waivers to reduce the cost of routine monitoring. EPA does not.
2. Issuance of variances or exemptions that allow public drinking water systems to achieve compliance over time while still providing public health protection. EPA does not.
3. Issuance of construction and operation approvals that reflect local knowledge, experience and an understanding of arctic engineering principles. Experience EPA does not have.

The oil and gas integrity management initiative funds new and enhanced services in the **Solid Waste** component as follows:

- Increased inspections of solid waste facilities on the North Slope.
- Increased review and evaluation of plans for solid waste storage and disposal facilities.
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As a result of increased maintenance and testing of the pipeline system, there will be an increase in the volume of solid waste (sludge from pipelines) requiring temporary storage and disposal, likely through grind-and-injection facilities.

## Major RDU Accomplishments in 2006

In addition to routine statewide shellfish monitoring, successfully implemented the second year of a three-year *Vibrio parahaemolyticus* (Vp) control program at oyster farms where Vp was identified during the summer of 2004. No cases of Vp associated with Alaska oysters was reported during 2006.

Transferred laboratory operations from the old Palmer facility to the newly constructed facility in Anchorage. Purchased, set-up, and validated new testing equipment. Recruited for and filled vacant positions (90% of staff) while making this transition.

Received Avian Influenza (AI) testing certification shortly after becoming operational. Alaska's laboratory was only one of 40 in the nation to pass this rigorous testing certification. Since receiving certification, the laboratory has completed over 2,500 AI tests on birds from Alaska.

The Drinking Water program completed the adoption of regulations to implement the Arsenic Rule, Radionuclides Rule, Public Notification Rule, Variances and Exemptions Rule, Filter Backwash and Recycling Rule, and new Analytical Methods.

The Solid Waste Program successfully implemented a formal enforcement policy, which resulted in increased compliance with the Solid Waste Regulations.

The Pesticide Program successfully implemented pesticide fee regulations, required under HB 19, with a minimal decline in the number of pesticides registered in the State.

### Contact Information

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### Environmental Health RDU Financial Summary by Component

*All dollars shown in thousands*

	FY2006 Actuals				FY2007 Management Plan				FY2008 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
<b>Formula</b>												
<b><u>Expenditures</u></b>												
None.												
<b><u>Non-Formula</u></b>												
<b><u>Expenditures</u></b>												
Environmental Health Director	347.1	0.0	0.0	347.1	305.4	0.0	0.0	305.4	347.6	0.0	0.0	347.6
Food Safety & Sanitation	1,237.7	304.5	1,792.7	3,334.9	1,420.4	396.8	1,820.2	3,637.4	1,561.7	414.2	2,125.7	4,101.6
Laboratory Services	1,495.4	616.2	165.2	2,276.8	1,434.3	1,105.4	337.5	2,877.2	1,616.2	1,105.4	339.5	3,061.1
Drinking Water	724.7	2,578.6	58.6	3,361.9	1,132.0	3,411.7	0.0	4,543.7	1,938.9	3,714.6	0.0	5,653.5
Solid Waste Management	899.2	263.6	488.0	1,650.8	1,206.0	320.5	378.7	1,905.2	1,346.4	320.5	594.9	2,261.8
<b>Totals</b>	<b>4,704.1</b>	<b>3,762.9</b>	<b>2,504.5</b>	<b>10,971.5</b>	<b>5,498.1</b>	<b>5,234.4</b>	<b>2,536.4</b>	<b>13,268.9</b>	<b>6,810.8</b>	<b>5,554.7</b>	<b>3,060.1</b>	<b>15,425.6</b>



**Environmental Health**  
**Summary of RDU Budget Changes by Component**  
**From FY2007 Management Plan to FY2008 Governor**

*All dollars shown in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2007 Management Plan</b>	<b>5,498.1</b>	<b>5,234.4</b>	<b>2,536.4</b>	<b>13,268.9</b>
<b>Adjustments which will continue current level of service:</b>				
-Environmental Health Director	0.1	0.0	0.0	0.1
-Food Safety & Sanitation	0.0	-23.5	74.1	50.6
-Laboratory Services	70.6	-60.0	-10.6	0.0
-Drinking Water	379.1	-379.1	0.0	0.0
-Solid Waste Management	0.0	-31.7	31.7	0.0
<b>Proposed budget decreases:</b>				
-Laboratory Services	-62.5	0.0	0.0	-62.5
-Solid Waste Management	-5.0	0.0	-1.4	-6.4
<b>Proposed budget increases:</b>				
-Environmental Health Director	42.1	0.0	0.0	42.1
-Food Safety & Sanitation	141.3	40.9	231.4	413.6
-Laboratory Services	173.8	60.0	12.6	246.4
-Drinking Water	427.8	682.0	0.0	1,109.8
-Solid Waste Management	145.4	31.7	185.9	363.0
<b>FY2008 Governor</b>	<b>6,810.8</b>	<b>5,554.7</b>	<b>3,060.1</b>	<b>15,425.6</b>